

IN THE CIRCUIT COURT OF LEFLORE COUNTY, MISSISSIPPI

ANTONIO BONNEY

PLAINTIFF

v.

Cause No. 2010-0011CICI

**LEFLORE COUNTY, DEPUTY RICHARD "CHIP" ROBERTS,
DEPUTY WILLIAM CARTER,
DEPUTY DONALD RADFORD, and OFFICER(S)
JOHN DOE, IN THEIR INDIVIDUAL AND OFFICIAL
CAPACITIES**

DEFENDANTS

AMENDED COMPLAINT

(JURY TRIAL DEMANDED)

1. Comes Now, ANTONIO BONNEY, and files this, his Amended Complaint against Leflore County, Deputy Richard "Chip" Roberts, Deputy William Carter, Deputy Donald Radford, and Officer(s) John Doe, in Their Individual and Official Capacities.

PARTIES

2. Plaintiff, Antonio Bonney (hereinafter Plaintiff), is an adult resident citizen of Mississippi residing at 22551 Schlater, Mississippi 38952.

3. Defendant Leflore County (Defendant Leflore) is county entity that may be served with process as the office of the Chancery Clerk at 306 W Market Street, Suite 102 Greenwood, Mississippi 38930.

4. Defendant Deputy Richard "Chip" Roberts (Defendant Roberts) is an officer employed with the Leflore County Sheriff's Department, and may be served with process at 310 West Market Street Greenwood, MS 38930.

5. Defendant Deputy William Carter (Defendant Carter) is an officer employed with the Leflore County Sheriff's Department, and may be served with process at 310 West Market Street Greenwood, MS 38930.

FILED

AUG 29 2011

TREY EMMES, CIRCUIT CLERK

By: *B. Simpson* D.C.

6. Defendant Deputy Donald Radford (Defendant Radford) is an officer employed with the Leflore County Sheriff's Department, and may be served with process at 310 West Market Street Greenwood, MS 38930.

7. Defendants Officer(s) John Doe (hereinafter Defendants or Defendant Johns) are police officers employed with the Leflore County Sheriff's Department and may be served with process at 310 West Market Street Greenwood, MS 38930.

JURISDICTION

8. This court has jurisdiction over the subject matter herein pursuant to the provisions of Section 9-7-81 of the Mississippi Code of 1972, annotated, as amended in that all defendants are domiciled in Mississippi.

9. This court has in personam jurisdiction over the Defendants in that all defendants are residents of or do business in Leflore County, Mississippi.

VENUE

10. Venue is proper in this Court pursuant to Section 11-11-13 of the Mississippi Code of 1972, annotated, as amended, in that the incidents which gave rise to these claims occurred in Leflore County, Mississippi.

FACTUAL ALLEGATIONS

11. On or about May 12, 2009, Plaintiff Antonio Bonney stopped at Granger's Store in Itta Bena to speak to someone.

12. After approaching the individual while still in his car, the individual pulled Plaintiff out of the car, causing Plaintiff to fall to the ground.

13. After getting up and seeing other unknown individuals approaching him, Plaintiff began to run away for fear of his life.

14. Plaintiff began to seek help at strangers' houses, knocking on doors, and asking them to call the police.

15. After the door was answered, the Plaintiff took off his shirt to show that he was unarmed and asked them to call the police.

16. Once the Defendant Deputies arrived, Plaintiff removed his shirt to show that he was unarmed; however, Defendant Deputies began to viciously beat the Plaintiff.

17. Defendant Deputies threw Plaintiff to the ground and hit Plaintiff with an unidentified blunt object.

18. As a result of the beating, Plaintiff suffered from a broken rib, swollen face, and a rock lodged into Plaintiff's hand causing infection.

19. Defendant Deputies arrested Plaintiff and he was held in jail overnight.

20. Plaintiff was charged with disorderly conduct; however, the charge was subsequently dropped.

21. As a result of the above stated incidences, the Plaintiff sustained injuries.

COUNT ONE
INJUNCTION PROHIBITING FUTURE CONDUCT
OF A SIMILAR CHARACTER, KIND OR NATURE

22. The Plaintiff re-alleges and incorporates each and every preceding paragraph as if fully set forth herein.

23. The Plaintiff is entitled to, and hereby requests, an injunction prohibiting the Defendants from committing conduct of the like, kind, character and nature as that demonstrated and described in this complaint at any time in the future within the jurisdiction of the Circuit Court of Leflore County, Mississippi.

**COUNT SEVEN
EXCESSIVE FORCE**

40. The Plaintiff incorporates and adopts all prior paragraphs, averments, and statements.

41. Plaintiff would show unto the Court that the Defendants took actions to deprive Plaintiff of his Fourth Amendment protection against excessive force.

PRAYER FOR APPROPRIATE RELIEF

42. Plaintiff incorporates and adopts all prior paragraphs, averments, and statements.

43. As a result of the intentional and/or reckless disregard and/or grossly negligent and/or other negligent acts of the Defendants named herein, the Plaintiff has suffered severe and permanent damages for which the Defendants should be held jointly and vicariously liable.

44. All Defendants are jointly and severally liable to the Plaintiff for the following damages: past, present and future pain, suffering and mental and emotional anguish; past, present and future loss of mobility and capacity; loss of enjoyment of life's normal activities; loss of society, lost wages, loss of wage earning capacity and all other damages to be proved at trial.

45. The Plaintiff brings this action against all Defendants and demands judgment and compensatory damages as a result of the negligent and/or intentional acts of reckless disregard enumerated herein in an amount to be determined by this Court.

46. The acts of the Defendants enumerated herein were so grossly negligent and reckless; utterly offensive; and were committed with such utter disregard for the rights of the Plaintiff and others similarly situated as to amount to willful, wanton, and/or intentional misconduct, thereby entitling the Plaintiff to an award of punitive damages to be determined by the Court, with this amount being sufficient to deter these Defendants from continuing this

conduct in the future.

WHEREFORE, THE ABOVE BEING CONSIDERED, the Plaintiff respectfully prays for judgment against all Defendants, compensatory damages, punitive damages, any and all damages allowed by Mississippi and federal law, pre-judgment interest, post-judgment interest, attorney's fees, Veasley type damages, and all costs of this proceeding with such final amount being at least \$500,000.00 or an aggregate sum equal to the maximum amount of recovery allowed by state and federal laws, plus any recovery to be determined by a jury and allowed under any applicable state laws and guidelines.

This the 26th day of August, 2011.

RESPECTFULLY SUBMITTED,
ANTONION BONNEY, PLAINTIFF

By: Carlos E. Moore
CARLOS E. MOORE, MSB #100685
TANGALA L. HOLLIS, MSB#103301
COUNSELS FOR PLAINTIFF

OF COUNSEL:

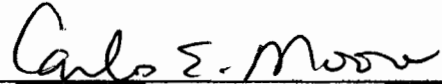
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(662)227-9940 (PHONE)
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CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that I have this day mailed, by United States Mail, postage pre-paid, a true and correct copy of the above and foregoing to:

R. Jarrad Garner, Esq.
Jared P. Carrubba, Esq.
ADAMS AND REESE LLP
Post Office Box 24297
Jackson, MS 39225-4297

SO CERTIFIED this the 20th day of August, 2011.


CARLOS E. MOORE, ESQ.
TANGALA L. HOLLIS, ESQ.